

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TRANSPORTATION**

**Call to Order:** Chairman Jon Sonju, on February 13, 2009 at 3:00 P.M., in Room 455 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Jon Sonju, Chairman (R)  
Rep. Bob Ebinger, Vice Chairman (D)  
Rep. Gordon Vance, Vice Chairman (R)  
Rep. Elsie Arntzen (R)  
Rep. Dick Barrett (D)  
Rep. Tom Berry (R)  
Rep. Deborah Kottel (D)  
Rep. Margaret MacDonald (D)  
Rep. Lee Randall (R)  
Rep. J. David Roundstone (D)  
Rep. Janna Taylor (R)  
Rep. Bill Wilson (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Katie Butcher, Committee Secretary  
Rachel Weiss, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing: HB 103, HB 441, HB 437  
Executive Action: HB 356, HB 103, HB 380, HB 441

00:00:01 Call to order

**Presentation from the Motor Vehicle Division**

00:00:52 Brenda Nordlund, Attorney, Motor Vehicle Division,  
Department of Justice

**EXHIBIT(trh34a01)**

00:01:47 Dale Matheson, Marketing Specialist, Department of  
Justice

00:13:33 Rep. Taylor

00:13:45 Mr. Matheson

00:15:28 Rep. MacDonald

00:15:50 Mr. Matheson

00:18:05 Chairman Sonju

00:18:09 Mr. Matheson

00:18:30 Chairman Sonju

00:18:55 Rachel Weiss, Legislative Services Division

00:19:25 Mr. Matheson

00:19:35 Chairman Sonju

00:19:55 Mr. Matheson

00:20:58 Ms. Nordlund

00:21:14 Rep. Berry

00:21:32 Ms. Nordlund

00:22:37 Rep. Roundstone

00:23:01 Mr. Matheson

00:23:19 Ms. Nordlund

00:24:11 Chairman Sonju

(Rep. Barrett left.)

**HEARING ON HB 441**

**Opening Statement by Sponsor:**

00:24:49 Rep. Krayton Kerns (R), HD 58, opened the hearing on  
HB 441, Revise rulemaking authority of department of  
transportation.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

00:27:09 Jim Lynch, Director, Department of Transportation

**EXHIBIT(trh34a02)**

**Questions from Committee Members and Responses:**

00:31:54 Rep. Arntzen

00:32:09 Mr. Lynch  
00:32:29 Rep. MacDonald  
00:32:48 Mr. Lynch  
00:33:05 Rep. Arntzen  
00:33:15 Mr. Lynch  
00:34:11 Rep. Randall  
00:34:34 Mr. Lynch  
00:35:32 Chairman Sonju  
00:35:38 Mr. Lynch  
00:37:11 Rep. Taylor  
00:37:26 Mr. Lynch

**Closing by Sponsor:**

00:38:02 Rep. Kerns

**HEARING ON HB 103**

**Opening Statement by Sponsor:**

00:38:53 Rep. Bill Wilson (D), HD 22, opened the hearing on  
HB 103, Revise tow truck insurance reporting  
provisions.

**Proponents' Testimony:**

00:39:46 Ken Toole, Montana Public Service Commissioner

**Opponents' Testimony:** None

**Informational Testimony:**

00:42:34 Gary Becker, Montana Highway Patrol  
00:46:47 Jim Dusenberry, Montana Tow Truck Association

**Questions from Committee Members and Responses:**

00:47:41 Chairman Sonju  
00:48:30 Mr. Becker  
00:52:24 Rep. Arntzen  
00:52:48 Mr. Dusenberry  
00:53:49 Rep. Arntzen  
00:53:55 Mr. Toole

**Closing by Sponsor:**

00:54:49 Rep. Wilson

**HEARING ON HB 437**

**Opening Statement by Sponsor:**

00:57:35 Rep. Betsy Hands (D), HD 99, opened the hearing on  
HB 437, Consider energy policy in transportation  
planning and decision making.

**Proponents' Testimony:**

00:59:23 Tim Davis, Montana Smart Growth Coalition  
01:00:18 Jim Lynch, Director, Department of Transportation

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:01:39 Rep. Arntzen  
01:02:07 Mr. Lynch  
01:04:51 Rep. Kottel  
01:05:55 Mr. Lynch  
01:06:30 Rep. Vance  
01:07:02 Mr. Lynch

**Closing by Sponsor:**

01:07:43 Rep. Hands  
(Rep. Barrett arrived.)

**EXECUTIVE ACTION ON HB 356**

01:10:46 **Motion:** Rep. Vance moved that **HB 356 DO PASS.**

01:11:29 **Motion:** Rep. Vance moved that **HB 356 BE AMENDED.**  
**EXHIBIT**(trh34a03)

**Discussion:**

01:11:43 Ms. Weiss  
01:12:25 Chairman Sonju  
01:13:19 Rep. Barrett  
01:13:30 Ms. Weiss  
01:14:04 Chairman Sonju

01:14:51 **Vote:** Motion carried unanimously by voice vote.

01:14:58 **Motion:** Rep. Vance moved that **HB 356 DO PASS AS AMENDED.**

**Discussion:**

01:15:11 Rep. Barrett  
01:15:35 Mr. Lynch  
01:16:29 Chairman Sonju  
01:17:08 Rep. Arntzen  
01:17:35 Rep. Kottel  
01:18:00 Rep. Taylor  
01:18:21 Mr. Lynch  
01:19:11 Chairman Sonju  
01:19:15 Mr. Lynch

01:19:35 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 103**

01:20:04 **Motion/Vote:** Rep. Wilson moved that **HB 103 DO PASS.**  
Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 441**

01:21:38 **Motion:** Rep. Vance moved that **HB 441 DO PASS.**

**Discussion:**

01:21:54 Rep. Kottel  
01:23:38 Rep. Berry  
01:23:48 Rep. Randall  
01:24:11 Rep. Arntzen  
01:24:52 Rep. Taylor  
01:26:14 Rep. MacDonald  
01:26:34 Rep. Kottel  
01:26:59 Mr. Lynch  
01:28:53 Rep. Vance  
01:29:05 Mr. Lynch  
01:30:58 Rep. Taylor  
01:31:17 Mr. Lynch  
01:32:41 Rep. Barrett  
01:33:20 Mr. Lynch  
01:34:37 Chairman Sonju  
01:35:11 Mr. Lynch  
01:37:06 Rep. MacDonald

01:37:47 **Vote:** Motion failed 6-6 by roll call vote with Rep. Arntzen, Rep. Randall, Rep. Roundstone, Rep. Sonju, Rep. Taylor, and Rep. Vance voting aye.

**EXECUTIVE ACTION ON HB 380**

01:39:08 **Motion:** Rep. Vance moved that **HB 380 DO PASS.**

01:39:32 **Motion:** Rep. Arntzen moved that **HB 380 BE AMENDED.**  
**EXHIBIT**(trh34a04)

**Discussion:**

01:39:49 Ms. Weiss  
01:40:52 Rep. Kottel  
01:41:00 Ms. Weiss  
01:41:15 Rep. Vance  
01:42:33 Rep. Berry  
01:42:49 Rep. Vance  
01:43:03 Rep. Arntzen  
01:43:13 Rep. Vance  
01:43:41 Ms. Weiss

01:44:01 Rep. Arntzen withdrew her amendment without objection.

01:44:42 Rep. Taylor  
01:44:48 Rep. Kottel  
01:44:59 Ms. Weiss

01:45:44 **Vote:** Motion carried unanimously by voice vote.

**ADJOURNMENT**

01:48:00 Adjournment

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Katie Butcher, Secretary

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Additional Documents:

**EXHIBIT ([trh34aad.pdf](#))**